



Ohio Bureau of Criminal Identification & Investigation
INVESTIGATIVE REPORT



12/18/12 INTERVIEW OF KENNETH KONEY

Summary

On Tuesday, December 18, 2012, Detective Jacobs of the Cuyahoga County Sheriff's Office and Special Agent Stranahan conducted an interview with Cleveland Police Officer Kenneth Koney regarding his involvement in the pursuit and officer involved shooting incident which occurred November 29, 2012 in East Cleveland, Cuyahoga County, Ohio.

Details

On Tuesday, December 18, 2012, at approximately 2125 hours, Detective Jacobs of the Cuyahoga County Sheriff's Office and Special Agent Stranahan were assigned to conduct an interview with Cleveland Police Officer Kenneth Koney regarding his involvement in the pursuit and officer involved shooting incident which occurred on November 29, 2012 in East Cleveland, Cuyahoga County, Ohio. The interview with Officer Koney was conducted at the Richfield BCI&I offices and was audio/video recorded.

At approximately 2130 hours, Detective Jacobs and Special Agent Stranahan met with Officer Koney, his attorney Patrick D'Angelo and Cleveland Police Patrolmen's Association Vice President Steve Kinas in the conference room at the Richfield BCI&I offices. After initial greetings, Special Agent Stranahan advised Officer Koney of his Miranda rights which he indicated he understood and was willing to provide a statement regarding this investigation. The following information was provided by Officer Koney during the interview.

Officer Koney indicated he has been a Cleveland Police Officer for approximately three (3) years. Officer Koney stated that prior to being hired by the Cleveland Police Department he has worked as a part-time police officer at several different police agencies since 2001. Officer Koney advised that his current assignment is basic patrol within the Cleveland Police Department Third District. Officer Koney indicated he is assigned to second shift and his work hours are 1430 hours – 0030 hours or 1530 hours – 0130 hours. Officer Koney stated his supervisor on November 29, 2012 was Sergeant Shepard and he does not recall working any

File Number: SI-18-12-82-1493	File Title: Timothy R. Russell (S) Malissa A. Williams (S)
Case Agent: Mark Kollar	Authoring Agent: Stranahan, S. #98 <i>SA Stranahan</i>
Date of Report: December 18, 2012	Exhibit #: 35
Investigative Activity: Interview of Kenneth Koney	Supervisor Approval: Dennis Sweet <i>[Signature]</i> JAN 10 2013

part-time jobs prior to the start of his shift.

The next topic discussed with Officer Koney was the type of training he has received. Officer Koney indicated he holds a current Peace Officer Certification through the Ohio Peace Officer Training Academy and he has never served in the United States Military. Officer Koney indicated he last attended in-service training with the Cleveland Police Department approximately two (2) months ago; however, he is unable to recall the exact date. According to Officer Koney, the in-service training included a firearms requalification and training in the use of force. Officer Koney indicated in his career as a Cleveland Police Officer he has never been involved in an officer involved shooting incident and he has never received any disciplinary action.

Special Agent Stranahan then asked Officer Koney several questions related to his health and substance abuse. Officer Koney advised he is in good health [REDACTED]

[REDACTED] Officer Koney stated he does not wear glasses and has no problems with drug or alcohol abuse.

Special Agent Stranahan next asked Officer Koney questions regarding the type of uniform he was wearing and type of equipment he was carrying on November 29, 2012. According to Officer Koney, he was wearing his Cleveland Police Department issued class B uniform during his shift on November 29, 2012. Officer Koney described this uniform as consisting of navy blue pants, a navy blue shirt with Cleveland Police Department markings and a bullet resistant vest which is in an external navy blue carrier. Officer Koney advised he was also wearing his issued duty belt which consisted of the following police issued equipment: (2) pairs of handcuffs, Glock 17 pistol, (2) extra magazines, pepper spray and a Taser with three cartridges. Officer Koney stated all of his magazines were at full capacity and he was not carrying a back-up weapon. Officer Koney also indicated he does not employ the use of any personal audio/video recording devices on his person or in his assigned patrol vehicle while on duty.

Special Agent Stranahan then asked Officer Koney questions concerning his assigned vehicle and zone assignment on November 29, 2012. Officer Koney indicated he was working alone on November 29, 2012 and he is unsure of the exact patrol unit he was driving during his shift. According to Officer Koney, he would have been driving unit number 324 or 324A, but he is not positive which vehicle he was driving. According to Officer Koney, both patrol unit 324 and 324A are equipped with working emergency lights, siren, spotlight, mobile radio and mobile data terminal (onboard computer system). Officer Koney stated he normally monitors radio channel 3 on both his car radio as well as his portable radio; however, he changed his portable radio to channel 2 during the pursuit. Officer Koney indicated he monitored both channels to ensure he had the most accurate information regarding the pursuit.

Special Agent Stranahan next spoke with Officer Koney regarding how he first became involved in the pursuit on November 29, 2012. According to Officer Koney he was parked stationary in the area of East 37 Street, writing a report in his patrol vehicle. Officer Koney advised he heard a report of officers being shot at and a vehicle pursuit on channel 3. Officer Koney indicated he

also heard dispatch tell officers to change to radio channel 2 to monitor the pursuit. Officer Koney advised he then changed his portable radio to channel 2 and monitored the pursuit.

While monitoring the pursuit, Officer Koney drove to the area of East 30 Street and Orange Road where he remained stationary as he thought the pursuit was headed in his direction. Officer Koney continued to monitor the pursuit and heard that the pursuit was traveling east away from his location. Officer Koney indicated he then traveled eastbound toward the area of the pursuit and blocked the intersection of Euclid Avenue and East 71 Street. While blocking the aforementioned intersection, Officer Koney observed the suspect vehicle pass through the area at a high rate of speed. According to Officer Koney, this was the first time he observed the suspect vehicle. Officer Koney advised that he began to follow the other Cleveland Police units involved in the pursuit eastbound on Euclid Avenue. Officer Koney stated that there were numerous police units involved in the pursuit so he decided to pull over and disengage from the pursuit.

Officer Koney stated that while he was parked along Euclid Avenue he continued to monitor the pursuit via the radio. A short time later Officer Koney recalled hearing radio traffic which reported that the suspect's vehicle had "rammed" one of the Cleveland Police units involved in the pursuit. Officer Koney stated that he next heard a radio broadcast which stated "shots fired." Officer Koney does not know the identity of the officer who made the aforementioned radio broadcasts.

Upon hearing the radio broadcast regarding "shots fired," Officer Koney stated he then drove to the area of the Heritage Middle School which is located at 14410 Terrace Road, East Cleveland, Cuyahoga County, Ohio. Officer Koney stated he arrived in the area and parked his patrol unit on Wymore Road at the bottom of the hill which leads to the parking lot of the school. Officer Koney then exited his patrol vehicle and heard numerous gun shots. Officer Koney then ran up the hill on Wymore Road and into the parking of the school. By the time Officer Koney arrived in the parking lot of the school, the gun fire had ended. Officer Koney observed numerous Cleveland Police Officers approaching the suspect vehicle. Officer Koney began walking through the parking lot toward the suspect vehicle and that he stopped approximately 20 to 30 feet away from the vehicle. Officer Koney stated he observed a Cleveland Police Officer reach into the suspect vehicle and put the vehicle in "park." Officer Koney does not know the identity of the officer he observed reaching into the vehicle. Officer Koney estimated he was on scene approximately 15 minutes and that at no time did he discharge his firearm or take any photographs with his cellular telephone.

Officer Koney recalled hearing several radio broadcast throughout the pursuit that gave him the impression that Officers were being fired upon by the suspects. Officer Koney recalled that one of the radio broadcasts reported the suspects were pointing a gun at officers. Officer Koney also recalled hearing an additional radio broadcast which reported the suspects appeared to be reloading. Officer Koney indicated that he obtained this information while monitoring the radio traffic and that at no time during the pursuit was he close enough to the suspect vehicle to witness these things first hand. Officer Koney does not recall what areas the pursuit was in when he overheard the aforementioned radio broadcasts and he does not know which officer(s) made the broadcast.

Officer Koney also related that there was a point during the pursuit where he was confused on whether or not the suspect(s) had a gun. According to Officer Koney he recalled hearing a radio broadcast which reported that the suspect was observed holding a pop can and no additional information was provided. Officer Koney again stated he is unsure where he was at when he heard the aforementioned radio broadcast and thinks that upon hearing this information he decided to disengage from the pursuit.

Officer Koney advised that the information he provided was truthful and he is unable to provide any additional details regarding this investigation. At this time the interview with Officer Koney was concluded and Officer Koney, his attorney and Union representative departed area. The interview with Officer Koney was audio/video recorded and a copy of the interview was downloaded to a DVD which was added to the file as Exhibit #35.

Subject Information

Name: Kenneth R. Koney
Address: [REDACTED] Medina, Medina County, Ohio 44256
Telephone: [REDACTED] (personal cellular telephone)
Employment: Officer - Cleveland Police Department
DOB: 7/10/1979
SSN: [REDACTED]
Sex: Male
Race: White
Height: 5'10"
Weight: 185 lbs.
Hair: Brown
Eyes: Blue
S/V/W: W
CCH: No
